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Written statement* submitted by the Asian Legal Resource Centre, a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[15 February 2016]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Please recycle

INDIA: Woeful implementation of welfare schemes responsible for high malnutrition among children

1. The Asian Legal Resource Centre (ALRC) draws the attention of the Human Rights Council to the persistent problem of an unacceptably high level of child malnutrition in India despite a plethora of government schemes to curb the same.

2. The recently released findings of the National Family Health Survey (NFHS) - 3, 2005-06, found that 43% of Indian children are underweight. The survey found that

> *"Among children under age six years in areas covered by an anganwadi centre, one in four (26 percent) received supplementary food from an AWC, one in five received an immunization from an AWC, and one in six went to an AWC for a health check-up in the 12 months preceding the survey."*

3. In other words, only 26% children under 6 years, in the areas covered by an anganwadi centre, received supplementary food, while immunization coverage was even worse at 20%. Put the two failures together – one which makes children chronically vulnerable to diseases and the other that denies them protection from a few life threatening ones – and one has the recipe for a continuing tragedy.

4. The findings of the survey are corroborated by another study called Rapid Survey on Children (RSOC) conducted by the UNICEF in 2013 and 2014. The aim of this survey was to get interim workable figures prior to the results of the ongoing NFHS-4. The report raises serious questions about the implementation of the schemes earmarked for snatching children out of the jaws of hunger and starvation. While noticing a significant decline in overall malnutrition among children, from 42.5% to 29.4%, the report also underscores notable failures on other indicators. As many as 15% of Indian children remain wasted, while a whopping 38.7% are stunted. The RSOC data also shows that while stunting is much higher in rural areas (41.7%), urban India does not fare much better (32.1%).

5. Despite such alarming figures – that indict the government of India for woeful implementation of its schemes and programmes – the government of India is reportedly considering scrapping the National Nutrition Mission, a multi-sectoral programme earmarked for 200 high-burden districts. Any such move by the government, which has already slashed the budget for the critical Integrated Child Development Scheme by almost half in 2015-16, would add to the malnutrition woes and jeopardize many schemes aimed at saving children.

6. The Supreme Court of India has also taken cognizance of the situation and pulled up the government of India for the same. For instance, a social justice bench of the Supreme Court of India, comprising justices Madan B. Lokur and U.U. Lalit, recently criticized the government for its failure to implement welfare schemes for children belonging to the lower strata of society. The Court stressed the "mismatch" between the "wonderful schemes" the government creates and the ground realities that remain unchanged.

7. The court hauled up the union government, particularly over the serious underperformance of the 2010-11 introduced Rajiv Gandhi Scheme for Empowerment of Adolescent Girls (RGSEAG), also known as 'Sabla'. The Bench told the Additional Solicitor General (ASG) Tushar Mehta, "All the ideas you have seems [sic] OK. Government of India has wonderful laws, ideas and schemes but the things are different on the ground."

8. Though the Court stressed on Sabla, the findings of the abovementioned studies conducted by the government of India and UNICEF showcase that other schemes are being implemented equally woefully, with no mechanism for monitoring as they get implemented. They also seem to have no mechanism for redress when exposed.

9. The Asian Legal Resource Centre therefore urges the Council to:

a) Ask the Government of India to establish a mechanism for better implementation of the schemes and institutionalize a process of real time monitoring and redress mechanism.

b) Ask the Government of India to streamline various schemes meant for pulling children out of malnutrition with special emphasis on high burden districts, most of which are tribal areas.

c) Ask the Government of India to put special emphasis on the children from scheduled castes and scheduled tribes – two of the most marginalized communities of India –as they form the biggest chunk of malnourished children.

d) Ask the Government of India to abandon any plans of scrapping the National Nutrition Mission, as such a move would hit the children from the scheduled castes and scheduled tribes the hardest. The government of India must, in fact, strengthen the Mission to address alarming levels of malnutrition in these communities.